

# HOUSE BILL No. 1132

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-5-27.

**Synopsis:** Commission on energy pricing. Establishes the commission on energy pricing to investigate the pricing of gasoline and other issues related to energy pricing.

**Effective:** July 1, 2002.

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**Alderman**

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January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1132

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 2-5-27 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2002]:

4 **Chapter 27. Commission on Energy Pricing**

5 **Sec. 1. As used in this chapter, "commission" refers to the**  
6 **commission on energy pricing established by section 2 of this**  
7 **chapter.**

8 **Sec. 2. The commission on energy pricing is established.**

9 **Sec. 3. The commission consists of the following:**

10 (1) **Four (4) members of the house of representatives**  
11 **appointed by the speaker of the house of representatives. Not**  
12 **more than two (2) members of the commission appointed**  
13 **under this subdivision may be members of the same political**  
14 **party.**

15 (2) **Four (4) members of the senate appointed by the president**  
16 **pro tempore of the senate. Not more than two (2) members of**  
17 **the commission appointed under this subdivision may be**



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members of the same political party.

(3) The attorney general or the attorney general's designee.

(4) The superintendent of the state police department or the superintendent's designee.

(5) The state examiner of the state board of accounts or the state examiner's designee.

Sec. 4. Except as provided in this chapter, the commission shall operate under the policies governing study committees adopted by the legislative council.

Sec. 5. The legislative services agency shall staff the commission.

Sec. 6. The expenses of the commission shall be paid from appropriations made to the legislative council or the legislative services agency.

Sec. 7. Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 8. Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

Sec. 9. The affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure, including final reports.

Sec. 10. The commission shall do the following:

(1) Investigate the availability of oil.

(2) Investigate current retail pricing and past retail pricing of gasoline and the relationship of pricing to current and past costs of gasoline.

(3) Determine whether price fixing or any other kind of collusion has taken place that has resulted in artificial inflation of the retail price of gasoline.

(4) Determine whether current retail gasoline prices are consistent in their historic relationship to cost or if current prices are artificially inflated.

(5) Investigate other aspects of energy pricing that the

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1           commission determines relevant to its duties under this  
2           chapter.

3       **Sec. 11. (a) The commission may do the following:**

4           **(1) Subpoena witnesses and records.**

5           **(2) Administer oaths.**

6           **(b) If the commission issues a subpoena, the circuit or superior**  
7       **court of the county where the subpoena is to be served shall**  
8       **enforce the subpoena.**

9       **Sec. 12. At the request of the commission, the state police**  
10      **department shall provide investigators to assist the commission in**  
11      **performing its duties under this chapter.**

12      **Sec. 13. If the commission determines that violations of Indiana**  
13      **or federal law have occurred, the commission shall refer its**  
14      **findings to the appropriate state or federal agencies for action.**

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